

UNITED STATES DISTRICT COURT
Western District of Texas
AUSTIN DIVISION

FILED

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CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

v.

Case Number A-08-CR-084(2)-SS
USM Number 42240-080

JOHNNY DELAROSA

True Name: Juan Luis De La Rosa

Aliases: Johnny Garcia De La Rosa; John De La Rosa; Johnny De La Rosa; Juan De La Rosa; Juan Luis De La Rosa; Juanito De La Rosa; Juan Luis Delarosa; Juanillo; Juan Bernal; "Hound;" "Old School"

Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, JOHNNY DELAROSA, was represented by Keith A. Pardue.

The defendant pled guilty to Count 1 of the Indictment on June 5, 2008. Accordingly, the defendant is adjudged guilty of such Count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count (s)</u>
21 USC 846 21 USC 841(a)(1) & 21 USC 851	Conspiracy to Possess with Intent to Distribute 5 kilograms or more of Cocaine	April 1, 2008	1

As pronounced on September 5, 2008, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 and Enhanced Penalties as set forth by 21 USC 851.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the Court and United States Attorney of any material change in the defendant's economic circumstances.

Signed this the 12th day of September, 2008.


SAM SPARKS
United States District Judge

Judgment--Page 2

Defendant: JOHNNY DELAROSA
Case Number: A-08-CR-084(2)-SS

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of LIFE, which shall be served concurrently to the sentence imposed in A 08 CR 170(1) SS.

The Court makes the following recommendation to the Bureau of Prisons:

That the defendant be incarcerated in a federal facility as close to Austin, Texas as possible for family visitation reasons.

The defendant shall remain in custody pending service of sentence.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JOHNNY DELAROSA
Case Number: A-08-CR-084(2)-SS

CRIMINAL MONETARY PENALTIES/ SCHEDULE

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth. Unless the Court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. Criminal Monetary Penalties, except those payments made through Federal Bureau of Prisons' Inmate Financial Responsibility Program shall be paid through the Clerk, United States District Court, 200 W. 8th Street, Room 130 Austin, Texas 78701.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTAL:	\$100.00	\$0	\$0

Special Assessment

It is ordered that the defendant shall pay to the United States a special assessment of \$100.00. Payment of this sum shall begin immediately.

Fine

The fine is waived because of the defendant's inability to pay.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column above. However, pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States is paid.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. §3614.

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. §3612(f). All payment options may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

Defendant: JOHNNY DELAROSA
Case Number: A-08-CR-084(2)-SS

FORFEITURE

The defendant shall forfeit all right, title and interest in the following firearms seized in connection with his arrest for the instant offense:

- A Masterpiece Arms, Model MPA30T, 9mm Luger semi-automatic pistol, with Serial No. F0377;
- A magazine with 23 rounds of 9mm ammunition;
- A barrel extension;
- A box of Winchester 9mm ammunition;
- A loaded Taurus Model Ultra Lite, .38 caliber five-shot double action revolver, with Serial No. QI30554;
- Five rounds of .38 SPL ammunition;
- A black pistol case;
- A loaded Charles Daly Model HP, 9mm Luger, single action semi-automatic pistol, with Serial No. HPM2390 with a magazine contained 14 rounds of 9mm ammunition;

and pursuant to the Plea Agreement, the defendant has agreed to abandon any right, title, and interest of the illegal drug proceeds in the form of \$35,376.00 in U.S. currency which was seized from Salas on December 3, 2007, and drug proceeds in the form of \$73,039.00 in U.S. currency which was seized from Benny Martinez' residence on March 3, 2008.